

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RICARDO VELASQUEZ,

Plaintiff,

-v-

MEY NEW YORK, INC. *et al.*,

Defendants.
-----X

22 Civ. 7557 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

The Complaint in this action was filed on September 5, 2022. Dkt. 1. Defendants have not appeared in this action, and the docket does not reflect whether Defendants have been served. Pursuant to Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). On December 9, 2022, the Court therefore ordered Plaintiff to file a status letter by December 15, 2022, describing (1) whether service of the summons and Complaint had been made on Defendants, and (2) if service had not been effected on Defendants, whether Plaintiff requested an extension of time to serve Defendants. The docket reflects that no such status letter was filed by that date. As a result, the Court subsequently warned Plaintiff that “[u]nless that letter is filed by December 22, 2022, explaining why there is good cause to excuse Plaintiff’s failure to serve Defendants within the 90-day deadline set by Rule 4(m), the Court will dismiss this case.” Dkt. 8. The docket reflects that no such letter has been filed. Consequently, pursuant to Federal Rule of Civil Procedure 4(m), this case is dismissed without prejudice. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Dated: December 23, 2022
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN
United States District Judge